

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NYU LANGONE HOSPITALS,

Plaintiff,

-against-

NEW YORK HOTEL TRADES COUNCIL AND  
HOTEL ASSOCIATION OF NEW YORK CITY,  
INC. HEALTH BENEFITS FUND,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 1/4/2021

1:20-cv-09091-MKV

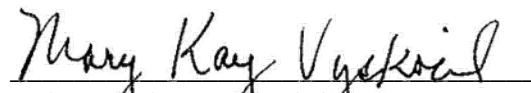
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the parties informing the Court that the parties have reached a settlement in principle [ECF No. 11]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made by **February 4, 2021**. The Court only will extend that deadline if no settlement agreement has yet been executed. The Court will not retain jurisdiction over the case if the Parties have a binding settlement agreement, regardless of the status of payments pursuant to the agreement. If no application to extend the deadline is made by either party, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

**SO ORDERED.**

**Date: January 4, 2021**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**